

APPEAL NO. 022081
FILED SEPTEMBER 30, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 2, 2002. The hearing officer determined that the claimant did not have disability and that no bona fide offer of employment was tendered that would allow an offset of any temporary income benefits that might be due. The claimant appeals; there is no response from the carrier.

DECISION

A timely appeal not having been filed with the Texas Workers' Compensation Commission (Commission), the decision of the hearing officer has become final.

The decision of the Commission was distributed on July 12, 2002. Pursuant to TEX. W.C. Comm'n, 28 TEX. ADMIN. CODE § 102.5(d) (Rule 102.5(d)), the claimant is deemed to have received this decision on July 17, 2002. The appeal was due in accordance with amended Section 410.202 to be filed by August 7, 2002. However, the appeal is postmarked August 9, 2002; this is untimely and by operation of Section 410.169, the hearing officer's decision has become final.

The true corporate name of the insurance carrier is **ARGONAUT-SOUTHWEST INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JOSEPH A. YURKOVICH
1431 GREENWAY DRIVE, SUITE 450
IRVING, TEXAS 75038.**

Susan M. Kelley
Appeals Judge

CONCUR:

Veronica Lopez
Appeals Judge

Robert W. Potts
Appeals Judge